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4 WAYMO LLC,
5 Plaintiff,
6 v.
7 UBER TECHNOLOGIES, INC., et al.,
8 Defendants.
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10 Case No.[17-cv-00939-WHA](#) (JSC)
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13 **ORDER GRANTING IN PART AND**
DENYING IN PART
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL

14 Re: Dkt. No. 657
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17 This Order addresses Defendants Uber Technologies' and Ottomotto's ("Defendants")
18 motion to file under seal portions of their Opposition to Plaintiff Waymo's Letter Brief Regarding
19 Privilege Issues ("Letter Brief") and Exhibits thereto. (Dkt. No. 657.) After carefully considering
20 Defendants' submissions, the motion is GRANTED in part and DENIED in part.

21 First, Defendants request to seal portions of its Opposition (Dkt. No. 657-4 at 3¹) because
22 it contains "details of business agreement containing non-public, highly confidential information,"
23 that could be used by competitors to its detriment. (Dkt. No. 657 at 2.) Defendants argue that if
24 such information were made public, its competitive standing could be harmed. (*Id.*) Second,
25 Defendants request sealing of the entirety of Exhibit A to the Declaration of Julie DeStefano (Dkt.
26 No. 657-7), arguing that this document "is a non-public, confidential employment document," that
27 includes information relating to Uber's employment and compensation terms. (Dkt. No. 657 at 2-
28 3.) Third, Defendants request sealing of the entireties of Exhibits A and B to the Declaration of
Sylvia Rivera (Dkt. No. 657-5 and 676-6) to protect the privacy of certain high-ranking executives
mentioned in their privilege logs. Defendants argue that disclosure of these employees' email

¹ Record citations are to material in the Electronic Case File ("ECF"); pinpoint citations are to the ECF-generated page numbers at the top of the documents.

1 addresses "could expose them to harm or harassment." (Dkt. No. 657 at 3.)

2 The Court DENIES sealing of the highlighted portions of Defendants' Opposition. (Dkt.
3 No. 657-4 at 3.) This information is not privileged, protectable as a trade secret or otherwise
4 entitled to protection under the law. *See Civil L.R. 79-5(b).* This information does not reveal
5 Defendants' confidential corporate structure, is not marketing strategy, and is not technical.

6 The Court also DENIES IN PART sealing of the entireties of Exhibits A and B to the
7 Declaration of Sylvia Rivera. (Dkt. No. 657-5 and 676-6.) These email addresses do not appear
8 difficult to figure out; however, if Defendants believe they are not publicly known, they may
9 redact the email addresses of Uber executives from the privilege logs and otherwise file the
10 privilege logs in the public docket.

11 Finally, the Court GRANTS sealing of Exhibit A to the Declaration of Julie DeStefano.
12 (Dkt. No. 657-7.) Defendants have demonstrated good cause to seal the employment document.

13 Defendants shall file public versions of their briefs and exhibits consistent with this Order by
14 no later than July 4, 2017. *See N.D. Cal. Civ. L.R. 79-5(f)(3).*

15 This Order disposes of Docket No. 657.

16 **IT IS SO ORDERED.**

17 Dated: June 27, 2017

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JACQUELINE SCOTT CORLEY
United States Magistrate Judge

